

UNITED STATES BANKRUPTCY COURT
FOR THE SOUTHERN DISTRICT OF IOWA

IN THE MATTER OF

GAYLE L. PARKER;
ARLENE K. PARKER

DEBTORS.

)
) BANKRUPTCY NO.
) 09-04856-LMJ
) (CHAPTER 13)
)
) ORDER OF US BANK'S MOTION TO
) LIFT STAY
)

Date entered on docket: December 21, 2010

THIS MATTER comes before the Court for entry of a stipulated order pursuant to the Motion to Lift the Automatic Stay filed by the Creditor, US Bank, N.A. (hereinafter US).

The Court having reviewed the Court file and being fully apprised in the premises, makes the following findings:

1. Debtors were delinquent in their post-petition monthly mortgage payments from August 1, 2010, as of the filing of the Motion to Lift Automatic Stay.

2. At the time of the hearing on US's Motion for Relief, the delinquent post-petition mortgage payments had been paid, but there remains the fees and costs for the filing of the Motion for Relief in the amount of \$700.00.

3. US is entitled to have the automatic stay lifted pursuant to 11 U.S.C. 362(d) for lack of adequate protection and for failure of Debtors to keep their Chapter 13 Plan Agreement.

4. US has agreed to hold the lifting of the automatic stay if the fees and costs of the filing of this Motion (\$700.00) are paid through its attorney, James V. Sarcone, Jr., according to the following schedule:

- a. \$116.67 on or before December 20, 2010
- b. \$116.67 on or before January 20, 2011
- c. \$116.67 on or before February 20, 2011
- d. \$116.67 on or before March 20, 2011
- e. \$116.66 on or before April 20, 2011
- f. \$116.66 on or before May 20, 2011

and there is a "drop dead" provision for the lifting of the automatic stay if Debtors become delinquent in any future post-petition payments by more than 30 days.

IT IS THEREFORE HEREBY ORDERED that US's Motion to Lift Automatic Stay is sustained but stayed pending compliance with the provisions of this Order.

IT IS FURTHER HEREBY ORDERED that the Debtors, Gayle L. Parker and Arlene K. Parker shall pay to US, through its attorney, James V. Sarcone, Jr., the following payments:

- a. \$116.67 on or before December 20, 2010
- b. \$116.67 on or before January 20, 2011
- c. \$116.67 on or before February 20, 2011
- d. \$116.67 on or before March 20, 2011
- e. \$116.66 on or before April 20, 2011
- f. \$116.66 on or before May 20, 2011

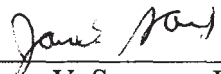
IT IS FURTHER HEREBY ORDERED that if any payment is not received by US's attorney as provided above, US may file an Affidavit stating that payment was not made as provided for herein and the automatic stay will be lifted without further order herein.

IT IS FURTHER HEREBY ORDERED that in the event the Debtors become delinquent in any future post-petition mortgage payments commencing with the December 1, 2010 mortgage payment b y more than 30 days, US may file an Affidavit that the mortgage payments are delinquent by more than 30 days and the automatic stay will be lifted without further order.

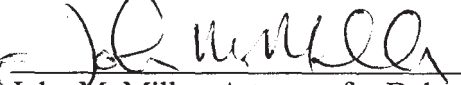
/s/ Lee M. Jackwig

THE HONORABLE LEE M. JACKWIG

APPROVED BY:



James V. Sarcone, Jr., Attorney for Creditor,
U.S. Bank, N.A.



John M. Miller, Attorney for Debtors
Gayle L. Parker and Arlene K. Parker

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Parties receiving this Order from the Clerk of Court:
Electronic Filers in this Chapter Case